

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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July 12, 2006

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(REV 10-96)

U. S. Department of Commerce Patent and Trademark Office

ATTORNEY'S DOCKET NUMBER

PN/4-33146A

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
10/550,380INTERNATIONAL APPLICATION NO.
PCT/EP04/003418INTERNATIONAL FILING DATE
31 March 2004 (31.03.04)PRIORITY DATE CLAIMED
1 April 2003 (01.04.03)TITLE OF INVENTION
USE OF CARBAMAZEPINE DERIVATIVES FOR THE TREATMENT OF AGITATION IN DEMENTIA PATIENTSAPPLICANT(S) FOR DO/EO/US
SHUA-HAIM ET AL.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau. (See Form PCT/IB/308)
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An executed Declaration and Power of Attorney (original or copy) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included.

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

| | | | | | |
|--|--|---|--|--|--|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/550,380 | | INTERNATIONAL APPLICATION NO. PCT/EP04/003418 | | ATTORNEY'S DOCKET NUMBER PN/4-33146A | |
|--|--|---|--|--|--|

| | | | | | |
|---|--|---|--------------|----------------------------------|-----|
| The following fees are submitted: | | | | CALCULATIONS PTO USE ONLY | |
| 21. | Basic national fee. | \$ | | | |
| 22. | Examination Fee | | | | |
| | If International preliminary examination report was prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) | \$ | | | |
| | All other situations. | \$ | | | |
| 23. | Search fee | | | | |
| | If Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority. | \$ | | | |
| | If International Search Report was prepared and provided to the Office. . . | \$ | | | |
| | All other situations. | \$ | | | |
| TOTAL OF 21, 22 AND 23 = | | | \$ | 0 | |
| Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| - 100 = | /50 = | | X \$ 250 | \$ | |
| Surcharge of \$130 for furnishing the oath of declaration later than <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | 130 |
| CLAIMS | | NUMBER FILED | NUMBER EXTRA | RATE | |
| Total claims | | - 20 = | | X \$ 50 | \$ |
| Independent claims | | - 3 = | | X \$ 200 | \$ |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | | + \$ 360 | \$ |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | 130 |
| Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28). | | | | \$ | |
| SUBTOTAL = | | | | \$ | 130 |
| Processing fee of \$130 for furnishing the English translation later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ | 130 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$ | 130 |
| | | | | Amount to be: refunded | \$ |
| | | | | charged | \$ |

07/17/2006 0FREY1 00000096 190134 10550380

01 FC 1617 130.00 DA

a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.

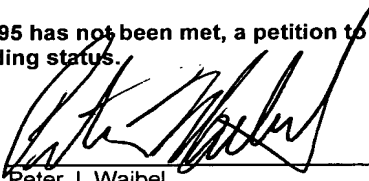
b. ☒ Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$130 to cover the above fees. A duplicate copy of this form is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0134 in the name of Novartis.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to the address associated with Customer No. 001095, which is currently:

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080


 Peter J. Waibel
 Attorney for Applicants
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/550,380 | Joshua Shua-Haim | PN/4-33146A |

INTERNATIONAL APPLICATION NO.

PCT/EP04/03418

I.A. FILING DATE

03/31/2004

PRIORITY DATE

04/01/2003

1095
 NOVARTIS
 CORPORATE INTELLECTUAL PROPERTY
 ONE HEALTH PLAZA 104/3
 EAST HANOVER, NJ 07936-1080

CONFIRMATION NO. 3361

371 FORMALITIES LETTER



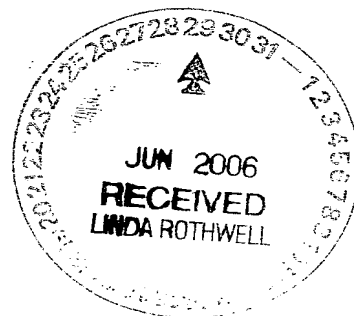
OC000000019389198

Date Mailed: 06/23/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/21/2005
- Copy of the International Search Report filed on 09/21/2005
- Preliminary Amendments filed on 09/21/2005
- Information Disclosure Statements filed on 09/21/2005
- U.S. Basic National Fees filed on 09/21/2005
- Priority Documents filed on 09/21/2005



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/550,380 | PCT/EP04/03418 | PN/4-33146A |

FORM PCT/DO/EO/905 (371 Formalities Notice)